

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 58399(47171)
INTERNATIONAL APPLICATION NO. US03/37127		INTERNATIONAL FILING DATE 18 November 2003
TITLE OF INVENTION MEMBRANE BASED ELECTROCHEMICAL CELL STACKS		PRIORITY DATE CLAIMED 18 November 2002
APPLICANT(S) FOR DO/EO/US Paul Sabin et al.		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment (including Abstract)
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☒ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Return Receipt Postcard
 Copy of International Search Report
 Change of Correspondence Address

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. 10/535559 INTERNATIONAL APPLICATION NO. <div style="text-align: center;">US03/37127</div>		ATTORNEY'S DOCKET NUMBER <div style="text-align: center;">58399(47171)</div>	
The following fees have been submitted		CALCULATIONS	PTO USE ONLY
21.	<input checked="" type="checkbox"/> Basic national fee \$300	\$ 300.00	
22.	<input checked="" type="checkbox"/> Examination fee		
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100 All other situations \$200		\$ 200.00	
23.	<input checked="" type="checkbox"/> Search fee		
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100 International Search Report prepared and provided to the Office \$400 All other situations \$500		\$ 500.00	
TOTAL OF 21, 22 and 23 =		\$ 1,000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.			
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE
- 100 =	/50 =		x \$250.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).			
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	42 - 20 =	22	x 50.00
Independent claims	3 - 3 =		x
MULTIPLE DEPENDENT CLAIM(s) (if applicable)		+	360.00
TOTAL OF ABOVE CALCULATIONS =			\$ 2,460.00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.			\$ 1,230.00
SUBTOTAL =			\$ 1,230.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).		+	\$
TOTAL NATIONAL FEE =			\$ 1,230.00
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		+	\$
TOTAL FEES ENCLOSED =			\$ 1,230.00
		Amount to be refunded:	\$
		Amount to be charged:	\$
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>04-1105</u> in the amount of \$ <u>1,230.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>04-1105</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.			
SEND ALL CORRESPONDENCE TO:			
Linda M. Buckley EDWARDS & ANGELL, LLP P.O. Box 55874 Boston, Massachusetts 02205 (617) 439-4444 CUSTOMER NUMBER: 21874		SIGNATURE: <u>Christine C. O'Day</u> NAME <div style="text-align: right;">38,256</div> REGISTRATION NUMBER	

10/535559

JC20 Rec'd T/PTO 18 MAY 2005

Application No. (if known): Not Yet Assigned

Attorney Docket No.: 58399(47171)

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV 493 499 321 uS in an envelope addressed to:

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Date



Signature

Elisabeth Dunkle

Typed or printed name of person signing Certificate

Registration Number, if applicable

(617) 439-4444

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal Letter to the United States Designated-Elected Office (2 pages)
Application Data Sheet
Change of Correspondence Address
First Preliminary Amendment (including Abstract)
Copy of Published International Application
Copy of International Search Report
Charge \$1,230.00 to deposit account 04-1105

10/535559

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 493 499 321 US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: May 18, 2005

Signature: *Elisabeth Dunkle*
(Elisabeth Dunkle)

JC2 Rec'd PCT/PTO 18 MAY 2005

Docket No.: 58399(47171)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Paul Sabin et al.

Application No.: Not Yet Assigned

Confirmation No.: N/A

Filed: Concurrently Herewith

Art Unit: N/A

For: MEMBRANE BASED ELECTROCHEMICAL
CELL STACKS

Examiner: Not Yet Assigned

CHANGE OF CORRESPONDENCE ADDRESS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the Manual of Patent Examining Procedures, Section 601.03, please change the mailing address for all correspondence in the above-identified patent application to:

Linda M. Buckley
EDWARDS & ANGELL, LLP
P.O. Box 55874
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Please direct all further communications to the above-identified firm.

Dated: May 18, 2005

Respectfully submitted,

By *Christine C. O'Day*
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